

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION

Mary Helfrich,

Case No. 3:12-cv-02223

Plaintiff

v.

OPINION & ORDER

Northwest Ohio Orthopedics & Sports Medicine, Inc.,

Defendant

Before me is Plaintiff Mary Helfrich's Motion for Extension of Time to Respond to Defendant's Motion for Summary Judgment. (Doc. No. 18). Defendant has filed its opposition (Doc. No. 19), and Plaintiff her reply (Doc. No. 20). For the reasons stated below, I grant Plaintiff's request for extension of time until August 12, 2013. Relatedly, Defendant will be given until September 4, 2013, to file any reply.

Ordinarily, Plaintiff's request might be decided by way of only a marginal entry. Given Defendant's opposition and a worrisome assumption by Plaintiff, however, I feel compelled to write a very brief opinion.

I agree with Plaintiff's assertions that she need not have anticipated Defendant's summary judgment arguments and therefore incurred the costs of ordering deposition transcripts before having benefit of reviewing those arguments. I also agree with Plaintiff that she has not been

dilatory in making her deposition requests to the court reporter, having done so within a couple of business days of Defendant's filing.

I do find troublesome, as Defendant argues, the Plaintiff's implicit assertion her request will not in any way interfere with the trial date in this case, currently scheduled for November 18, 2013. The revised briefing schedule means Defendant's summary judgment motion is not decisional until September 4. While that date is more than two months prior to trial, the Court's February 8, 2013 trial order (Doc. No. 9.) initiates the trial preparation process for the parties as early as October 14, when proposed jury instructions and motions in limine are due. Trial briefs are due fifteen days thereafter.

I have no reason to believe any of the counsel in this case are dilatory. Accordingly, counsel will likely have to begin preparation for trial in this case by the beginning of October, which leaves me less than four weeks to review the parties' summary judgment arguments and issue what I would hope to be a thoughtful – and correct – opinion.

All of this is just a means of stating this reminder: These dates are set with certain assumptions in mind. Changing those dates has consequences. I do not wish to move the trial date and attendant trial preparation deadlines in this case, but I may be forced to do so, as I do not wish the parties to spend time, and therefore money, preparing for trial. Please be mindful of the practical effects and realities on our end.

So ordered.

s/ Jeffrey J. Helmick
United States District Judge